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Attorney for Necia Christena Mays

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

<b>IN RE:</b>	§	
	§	
<b>SHANE ALLEN MAYS</b>	§	<b>CASE NO. 010-70410</b>
<b>NECIA CHRISTENA MAYS</b>	§	
<b>DEBTORS</b>	§	

**JOINT DEBTOR'S MOTION TO RETAIN ADDITIONAL COUNSEL**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**A HEARING MAY NOT BE CONDUCTED HEREON UNLESS A RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE #12A24, DALLAS, TX 75242-1496 BEFORE CLOSE OF BUSINESS OCTOBER 17, 2013, WHICH IS TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE FILED WITH THE CLERK, A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE TO (1) THE DEBTOR AND DEBTOR'S ATTORNEY; (2) THE OFFICE OF THE U.S. TRUSTEE; (3) ANY TRUSTEE AND THE TRUSTEE'S ATTORNEY; (4) THE MEMBERS OF ANY OFFICIAL COMMITTEE, OR THE ATTORNEY FOR ANY OFFICIAL COMMITTEE IF AN ATTORNEY HAS BEEN EMPLOYED; OR IF THERE IS NO COMMITTEE, THE TWENTY (20) LARGEST UNSECURED CREDITORS; (5) ANY PARTY REQUESTING NOTICE; (6) ANY PARTY NAMED ON A COURT-APPROVED ALTERNATIVE SERVICE LIST; (7) THE RESPONDING PARTIES; (8) ANY OTHER AFFECTED ENTITY.**

**IF NO HEARING ON SUCH NOTICE OR MOTION INITIATING A CONTESTED MATTER IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED**

**TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.**

NOW COMES Necia Christena Mays, Joint Debtor in the above-numbered and styled case, files the Joint Debtor's Motion to Retain Additional Counsel and respectfully shows this Court the following:

I.

Movant, Necia Christena Mays, has separated from the Debtor, Shane Allen Mays creating a potential conflict of interest for Debtors' counsel, Monte J. White, if she needs to file motions which would be in her best interests but adverse to the interests of Debtor, Shane Allen Mays. For that reason, Movant needs to retain additional counsel to file a Motion to Sever Case, a Motion to Modify after Confirmation to surrender collateral and a possible Motion to Modify or Lift Stay, if necessary prior to her discharge.

II.

The attorney's fees for this initial motion are \$150.00 and Movant has paid that money prior to this motion being filed. That payment is deposited in the undersigned's IOLTA pending Court approval of his representation. The remaining attorney's fees will be paid out of the Movant's Plan payments after separate Court orders approving such fees.

PRAYER

**WHEREFORE, PREMISES CONSIDERED**, the Movant respectfully requests that the Court enter an order authorizing her to retain additional counsel to file motions which would be adverse to the interests of Debtor, Shane Allen Mays.

Respectfully submitted,

RAFUSE LAW FIRM, P.C.  
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By: /s/ Robert O. Rafuse 16463900  
Robert O. Rafuse, Attorney for Movant,  
Necia Christena Mays

**CERTIFICATE OF CONFERENCE**

On September 10, 2013, Robert O. Rafuse discussed the contents of this motion with Mr. Monte J. White, Debtors' counsel, and Mr. Marc McBeath with the Trustee's office who both indicated that this motion was necessary to allow Necia Christena Mays to retain additional counsel. While Mr. White was not in a position to join or oppose this motion, Mr. McBeath did not indicate he would object to it.

/s/ Robert O. Rafuse  
Robert O. Rafuse

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing "Debtors' Motion to Retain Additional Counsel" has been mailed by First Class U.S. Mail to Mr. Walter O'Cheskey, the Standing Chapter 13 Trustee, 6308 Iola, Lubbock, TX 79423 and all creditors per attached mailing matrix on this 27th day of September, 2013.

/s/ Robert O. Rafuse  
Robert O. Rafuse

United States Trustee  
1100 Commerce Street, Room 1254  
Dallas, TX 75242-1305

American National Bank  
1920 Elmwood Avenue North  
Wichita Falls, Texas 76308-3724

Antees Pools  
1929 Southwest Pkwy  
Wichita Falls, TX 76302-4605

City of WF, WFISD, Wichita County  
c/o Perdue Brandon Fielder Collins & Mott  
P.O. Box 8188  
Wichita Falls, Texas 76307-8188

Codilis & Stawiarski, PC  
650 N Sam Houston Pkwy E, No. 450  
Houston, TX 77060-5908

Credit Collection Services  
P.O. Box 55126  
Boston, MA 02205-5126

Executive Services  
1200 Austin St  
Wichita Falls, TX 76301-4623

GMAC Automotive Bank  
2000 Town Ctr Ste 2200  
Southfield, MI 48075-1157

United States Trustee  
1100 Commerce Street, Room 976  
Dallas, TX 75242-0996

AT&T  
P.O. Box 5001  
Carol Stream, IL 60197-5001

American National Bank  
2732 Midwestern Pkwy  
Wichita Falls, TX 76308-2904

Chase  
9451 Corbin Avenue  
Northridge, CA 91324-1665

Clinical Pathology Laboratories, Inc  
P.O. Box 141669  
Austin, TX 78714-1669

Collectech Diversified  
P.O. Box 12027  
Lubbock, TX 79452-2027

Diversified Adjustment  
600 Coon Rapids Blvd Nw  
Coon Rapids, MN 55433-5549

Franks Auto Sales  
513 Burnett St  
Wichita Falls, TX 76301-2317

Higher Educ Svc Corp  
1250 E Copeland Rd Ste 2  
Arlington, TX 76011-1345

Vativ Recovery Solutions LLC  
P.O. Box 40728  
Houston, TX 77240-0728

American Medical Collection Agency  
2269 South Saw Mill River Rd, Bldg 3  
Elmsford, NY 10523-3848

American National Bank  
c/o Mr. D. Todd Davenport  
3711 Maplewood Ave., Suite 200  
Wichita Falls, TX 76308-2101

Checks Unlimited  
P.O. Box 17400  
Colorado Springs, CO 80935-7400

Clinics of North Texas  
P.O. Box 97547  
Wichita Falls, TX 76307-7547

Community Health Care Center  
P.O. Box 720  
Wichita Falls, TX 76307-0720

Edfinancial Services on behalf of TGSLC  
Texas Guaranteed Student Loan Corporation  
P.O. Box 83100  
Round Rock, TX 78683-3100

GMAC  
P.O. Box 130156  
Roseville MN 55113-0002

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia PA 19101-7346

Jefferson Capital Systems LLC  
P.O. Box 7999  
St Cloud MN 56302-7999

Keith Lewis  
4901 Bayberry Dr.  
Wichita Falls, TX 76310-3425

Kell West Family Practice Clinic  
4412 Kell Blvd West  
Wichita Falls, TX 76309-4719

LVNV Funding, LLC  
Resurgent Capital Services  
P.O. Box 10587  
Greenville, SC 29603-0587

Mercantile Adjustment Bureau, LLC  
P.O. Box 9016  
Williamsville, NY 14231-9016

NCO Portfolio Management  
c/o Becket and Lee, LLP  
P.O. Box 3001  
Malvern, PA 19355-0701

Portfolio Recovery Associates, LLC  
P.O. Box 41067  
Norfolk, VA 23541-1067

TGSLC  
P.O. Box 83100  
Round Rock, TX 78683-3100

Transworld Systems, Inc.  
9525 Sweet Valley Dr  
Cleveland, OH 44125-4237

Wichita Falls City, ISD & Wichita County  
c/o Perdue Brandon Fielder Collins & Mott  
P.O. Box 8188  
Wichita Falls, TX 76307-8188

Necia Christena Mays  
P.O. Box 484  
Iowa Park, TX 76367

Lawton Retail Merchant  
1114 Sw A Ave  
Lawton, OK 73501-3899

Midland Credit Management  
P.O. Box 939019  
San Diego, CA 92193-9019

PRA Receivables Management, LLC  
as Agent Of Portfolio Recovery Assocs  
c/o Wells Fargo Bank NA  
P.O. Box 41067  
Norfolk, VA 23541-1067

Quest Diagnostics  
P.O. Box 740779  
Cincinnati, OH 45274-0779

Telecheck Services, Inc  
P.O. Box 60012  
City of Industry, CA 91716-0012

Unique National Collec  
119 E Maple St  
Jeffersonville, IN 47130-3439

WW Pool & Spa Service  
5119 Kingston Dr  
Wichita Falls, TX 76310-3107

Shane Allen Mays  
2105 Pawhuska  
Wichita Falls, TX 76309-3030

LVNV Funding, LLC  
P.O. Box 740281  
Houston, TX 77274-0281

Palisades Collections, LLC  
Vativ Recovery Solutions LLC  
as Agent For Palisades Collections, LLC  
P.O. Box 19249  
Sugar Land, TX 77496-9249

RJM Acquisitions, LLC  
575 Underhill Blvd, Suite 224  
Syosset, NY 11791-4437

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Verichek  
P.O. Box 3218  
Abilene, TX 79604-3218

Monte J. White  
Monte J. White & Associates, P.C.  
1106 Brook Avenue  
Hamilton Place  
Wichita Falls, TX 76301-5009

Walter O'Cheskey, Trustee  
6308 Iola Avenue  
Lubbock, TX 79424-2735

IRS Special Procedures  
1100 Commerce St., Room 951  
Mail Stop 5029 DAL  
Dallas, TX 75246